



**U.S. Department of Justice**

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**BY ECF**

The Honorable Madeline Cox Arleo  
United States District Judge  
Martin Luther King Jr. Federal Building & U.S. Courthouse  
50 Walnut Street  
Newark, NJ 07102

**Re: *United States v. City of Newark*, No. 16-CV-1731 (MCA)(MAH)**

Dear Judge Arleo:

The United States respectfully requests that the Court set a status conference within 30 days to discuss the status of the monitorship in this case and, pursuant to Paragraph 206 of the Consent Decree, correspondingly requests a limited extension of the existing appointment until the date of that conference. We believe that the extension is necessary to allow the parties and the Monitor additional time to attempt to come to agreement on the details of any longer extension of the monitorship, and that the court conference would be required if the parties and Monitor are not able to reach agreement sooner.

Paragraph 206 of the Consent Decree limits the Monitor's appointment to five years from the Operational Date. The parties and the Monitor agree that the current term of appointment will expire on July 12, 2021. The United States believes that continued monitoring beyond July 12, 2021, is necessary because the City has not achieved full and effective compliance with the Decree, and it will require additional time to do so. The Monitor, furthermore, has yet to assess for compliance many of the areas required by the Consent Decree and additional time is necessary to allow for these assessments. The parties and the Monitor have engaged in discussions to see if we can reach a mutually agreeable extension proposal and have made some progress, but have not yet been able to agree on the appropriate duration of any extension or a cap on the costs. The United States also believes that any proposed extension must include the following assurances from the Monitor in concept<sup>1</sup>:

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<sup>1</sup> We believe that the parties and the Monitor have reached an agreement in principle on these items, but have not committed to exact language at this point.

1. The Monitor will hold monthly meetings with the parties to discuss the status of compliance and any issues that need to be addressed as the parties and Monitor work to ensure that the City achieves compliance;
2. The monitoring team will continue to hold meetings with the City before the beginning of any audit and after the audit is completed. The United States will also be included in those meetings;
3. The Monitor will produce to the parties every 90 days an updated audit/proposed audit schedules reflecting the status of proposed and completed audits as well as the proposed timing for any uncompleted audits; and
4. The Monitor will produce a quarterly report for any given quarter no later than the date upon which the following quarter ends. As part of that quarterly report, the Monitor will include an updated status report on completed quantitative assessments that measure whether implementing the Consent Decree has resulted in the outcomes expressed in Paragraph 174 of the Consent Decree. The status report should forecast the data that the Monitor will collect and analyze to fulfill the obligations of Consent Decree Paragraph 174 during the following quarter.

While the United States remains optimistic that the parties and the Monitor can come to agreement on all aspects of a proposed extension soon, we recognize that Court action may become necessary. Accordingly, we respectfully request that the Court set a status conference within 30 days to allow the parties and the Monitor to attempt to resolve any outstanding issues regarding extending the monitorship, and that the Court grant a limited extension of the existing monitorship until the conference occurs.

Thank you for Your Honor's consideration of this request.

Respectfully submitted,

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